

## Message Text

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61

ORIGIN IO-10

INFO OCT-01 ISO-00 CPR-01 L-03 SS-15 NSC-05 CIAE-00 INR-07

NSAE-00 SCA-01 SCS-03 AF-06 ARA-06 EA-07 EUR-12

NEA-10 PA-01 PRS-01 USIA-06 A-01 /096 R

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APPROVED BY IO:ROBLAKE

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IO/BAPS:WSOUTHWORTH

----- 085224

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FM SECSTATE WASHDC

TO USMISSION USUN NEW YORK

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E.O. 11652: N/A

TAGS: CGEN, PFOR, UN

SUBJECT: NYC SCHOOLS PLAN TO CHARGE TUITION FOR FOREIGN  
PUPILS

REF: USUN 6783

1. IN DISCUSSION WITH NYC BOARD OF EDUCATION RE  
PROPOSAL TO LEVY TUITION CHARGES UPON MEMBERS OF UN  
COMMUNITY, DEPARTMENT SUGGESTS THAT MISSION SEEK TO  
EXPLORE SIZE OF PROBLEM AND ITS IMPLICATIONS, ASCERTAIN AS  
PRECISELY AS POSSIBLE NEW YORK CITY'S PLANS, AND ENCOURAGE  
BOARD OF EDUCATION TO AVOID PRECIPITOUS ACTION UNTIL IMPACT  
OF THESE PLANS CAN BE ASSESSED.

2. AS BACKGROUND FOR EXECUTIVE DIRECTOR FOR COMMUNITY  
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SCHOOL DISTRICT OFFICERS, USUN MAY WISH TO REMIND HIM

THAT UN WAS INVITED BY USG, NEW YORK STATE AND NEW YORK CITY TO SETTLE IN THE US AND ESTABLISH ITS HEADQUARTERS IN NEW YORK CITY. THESE AUTHORITIES MADE CERTAIN CONCESSIONS TO THE UN IN ORDER THAT ITS HEADQUARTERS WOULD BE IN NEW YORK CITY AND, FOLLOWING NUMEROUS MEETINGS WITH ALL OF THESE AUTHORITIES, THE UN DECIDED TO SET UP ITS HEADQUARTERS IN THE US AND WITHIN THE CONFINES OF NEW YORK CITY. IT WOULD APPEAR INAPPROPRIATE THAT AFTER THIRTY YEARS THE CITY WOULD NOW DECIDE TO CHARGE FEES WHICH HAVE NOT BEEN REQUESTED FOR THIS EXTENDED PERIOD OF TIME.

3. MISSION SHOULD REMIND BOARD THAT MEMBERS OF UN COMMUNITY PAY PROPERTY TAXES IN THE SAME MANNER AS OTHER NY CITY RESIDENTS. SOME SECRETARIAT MEMBERS OWN AND PAY TAXES ON PROPERTY IN NEW YORK CITY. REMAINDER, WHO RENT APARTMENTS AS UN DIPLOMATS DO, INDIRECTLY PAY PROPERTY TAXES THROUGH THEIR LANDLORDS WHO ARE GENERALLY CHARGING AMPLE RENTALS WHICH FULLY TAKE INTO ACCOUNT THEIR TAX BURDEN.

4. WE WOULD SUGGEST THAT THE SCHOOL BOARD, SINCE ITS DECISION HAS APPARENTLY BEEN TAKEN ON SHORT NOTICE, CONSIDER, THEREFORE, WHETHER IT IS FAIR OR APPROPRIATE TO INCLUDE IN THE CATEGORY OF FAMILIES IT IS CONSIDERING THESE RATHER LONG-TERM RESIDENTS WHO ARE PAYING THEIR WAY. (IF BOARD IS CONTEMPLATING INCLUDING THIS CATEGORY, MISSION SHOULD URGE THAT IT MOVE MORE SLOWLY ON THIS GROUP. WHILE THE UN SECRETARIAT DOES MAKE PROVISIONS FOR EDUCATIONAL ALLOWANCE FOR SOME OF ITS EMPLOYEES, THE SUDDEN ADDED FINANCIAL BURDEN TO THESE EMPLOYEES AS WELL AS THAT NOT COVERED COULD BECOME SERIOUS PROBLEM WITHOUT ADEQUATE PREPARATION TO MEET THIS ADDED BURDEN.)

5. IF QUESTION OF USG ASSISTANCE TO NYC EDUCATION IS RAISED MISSION MAY POINT OUT THAT NEW YORK STATE RECEIVES APPROXIMATELY DOLLARS 300 MILLION FROM THE USG UNDER THE PROVISIONS OF THE ELEMENTARY AND EDUCATIONAL ACT, OF WHICH A PORTION WE ASSUME GOES TO NYC.

6. FYI. THE DEPARTMENT IS NOT AWARE OF ANY BILATERAL OR LIMITED OFFICIAL USE

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MULTILATERAL AGREEMENTS OR TREATIES WHICH WOULD NEGATE THE PROPOSED ACTION BY THE BOARD OF EDUCATION. SUCH UNILATERAL ACTION BY THE NEW YORK CITY BOARD OF EDUCATION WOULD ESTABLISH AN UNDESIRABLE PRECEDENT AND MAY IN FACT BE IN CONFLICT WITH US DOMESTIC LAW. HOWEVER, WE ARE NOT AT THIS TIME ADDRESSING DOMESTIC LEGAL AND CONSTITUTIONAL ASPECTS OF THE NEW YORK PLAN. AS MOST US DEPENDENTS SERVING ABROAD ATTEND FOREIGN OR AMERICAN PRIVATE

SCHOOLS FOR WHICH DEPARTMENT PAYS EDUCATIONAL ALLOWANCE,  
THREAT OF RECIPROCAL TREATMENT IS PROBABLY MINIMAL.  
END FYI. KISSINGER

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